

**REMARKS**

Claims 1-9 and 12 are pending in this application. By this Amendment, claim 1 is amended for form only, claims 10 and 11 are canceled, and claim 12 is added.

No new matter is added by this Amendment. Claim 12 is supported in the original specification, for example, on page 3, lines 19-21, describing that the rough casting is preferably made of steel, stainless steel, aluminum or brass.

In view of the foregoing amendments and the following remarks, reconsideration of this application is respectfully requested.

**I. Rejection Under 35 U.S.C. §102(a)**

Claims 10 and 11 were rejected under 35 U.S.C. §102(a) as allegedly being anticipated by WO 02/38329 ("Denham"). The rejection is respectfully traversed.

The rejection is moot in light of the cancellation of claims 10 and 11. Thus, reconsideration and withdrawal of this rejection are respectfully requested.

**II. Rejection Under 35 U.S.C. §103(a)**

Claims 1-9 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Denham in view of U.S. Patent No. 5,282,698 ("Wright"). The rejection is respectfully traversed.

Denham teaches a process of manufacturing a blind threaded insert from metal by at least partially forming the insert other than the internal thread by a cold forming process, then forming the internal thread. The Patent Office admitted that Denham does not teach that the workpiece is annealed between the formation of the recess zone and the formation of the bore. However, the Patent Office asserted that Wright teaches an annealing step between the formation of a recess zone and the formation of a bore. Such characterization of Wright is incorrect.

Wright discloses a threaded fastener, and a method of fabrication of the threaded fastener, for use in mine roof support systems. Specifically, Wright teaches that a through bore 32 is formed in a casting 10. The through bore 32 is surrounded by a base 12, a body portion 20 and two wall segments 21 and 22. See Wright, column 3, lines 41 to 43. There are two portions of a bore for forming an internally threaded fastener in Wright. The first portion 34 is tapering inwardly from base surface 14 to internal parting line 36. See Wright, column 3, lines 44-45. The second portion 38 is tapering outwardly from parting line 36 to junction 40. See Wright, column 3, lines 46-47. The through bore 32 tapers outwardly from junction 40 through a portion of body portion 20 and through the wall segments 21 and 22 to two free edges 23 and 24. See Wright, column 3, lines 48-50. After forming, casting 10 is annealed to provide necessary hardness, bore portions 34 and 38 are drilled and tapped to form internally threaded fastener 42 and then the wall segments 21 and 22 are deformed and free edges 23 and 24 are moved radially inward. See Wright, column 3, lines 59-67.

The Patent Office referred to through bore 32 as a recess zone and to casting 10 as a rough part. Both the recess zone 32 and the bore portions 34 and 38 are formed before an annealing step.

Wright does not remedy the deficiencies of Denham discussed above.

First, the process to fabricate an internally threaded fastener as taught by Wright is in direct contrast to the process steps as recited in claim 1. Claim 1 recites a manufacturing process for a clinch nut having a recess zone formed in a rough part of a rough metal casting by cold heading, a bore adjacent to the recess zone formed by cold heading and an internal thread made in the bore, wherein the rough part undergoes a thermal annealing treatment between formation of the recess zone and formation of the bore. It is clear from comparing the process as taught by Wright with claim 1 that Wright does not teach or suggest an annealing step between the formation of the recess zone and the bore. In Wright, the through

bore 32 is taught to be formed before an annealing step. At column 3, line 59, it is described that the through bore is formed before annealing, and that annealing is performed "after forming." Thus, Wright teaches that the annealing step takes place after formation of the bore. Nothing in Wright would have led one to subject the workpiece of Denham to annealing prior to forming the bore as required in present claim 1.

Second, even if the Patent Office somehow considers drilling of bore portions 34 and 38 to be formation of a bore (which it is not because, as discussed above, the bore is already formed at this drilling stage), such is not a formation by cold heading as required in claim 1. The cold heading as required in claim 1 includes deforming the bottom part of the rough part, without removal of material, so that a bore adjacent to the recess zone and coaxially extending the cavity can be formed in one step. See page 4, lines 10-14 of the specification. Cold heading has the effect of hardening the bore locally, as opposed to a drilling method as in Wright in which material is removed only by cutting without deformation or local hardening. The drilling in Wright thus fails to describe formation of a bore by cold heading following an annealing step.

As discussed above, Denham fails to teach or suggest the recited elements of claim 1. Thus, even if Wright were to have been combined with Denham as alleged by the Patent Office, present claim 1 still would not have been achieved because Wright does not remedy the deficiencies of Denham.


For the foregoing reasons, Applicant respectfully submit that Denham and Wright, alone or in combination, would not have led one of ordinary skill in the art to the present claims. Reconsideration and withdrawal of this rejection are respectfully requested.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-9 and 12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

  
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